

STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0124753; AI 93823; PER20090001** to discharge to waters of the **State of Louisiana** as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

I. THE APPLICANT IS:

Wastewater Treatment Utilities, Inc
Meadow Ridge Subdivision
17188 airline Highway, Suite M-157
Prairieville, LA 70769

II. PREPARED BY:

Rachel Davis

DATE PREPARED:

October 14, 2009

III. PERMIT ACTION:

Issue LPDES permit LA0124753, AI 93823; PER20090001

LPDES application received: June 18, 2009

EPA has not retained enforcement authority.

LPDES permit issued: March 11, 2005

LPDES permit expired: March 14, 2009*

*The previous permit was a Class IV general permit (LAG570292), due to compliance history the facility is being issued an individual permit. Upon the the issuance of this permit the previously issued general permit, LAG570292, will be terminated.

IV. FACILITY INFORMATION:

- A. The application is for the discharge of treated sanitary wastewater from a privately owned treatment works serving the Meadow Ridge and Stones Subdivisions.
- B. The permit application does not indicate the receipt of industrial wastewater.
- C. The facility is located at 17422 Karen Drive in Prairieville, Ascension Parish.
- D. The treatment facility consists of an extended air sewage treatment plant with chlorine disinfection.
- E. Outfall 001

Discharge Location: Latitude 30° 19' 31" North
Longitude 90° 57' 8" West

Description: treated sanitary wastewater

Expected Flow: 128 homes x 400 gallons/day/home = 0.0512 MGD

Calculations for gallons per day were based upon figures obtained from Chapter 15 of the State of Louisiana Sanitary Code, Department of Health and Hospitals, Office of Public Health.

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Type of Flow Measurement which the facility is currently using:
Bucket and Stop Watch

V. RECEIVING WATERS:

The discharge is into Muddy Creek, thence into Bayou Manchac in segment 040201 of the Lake Pontchartrain Basin. This segment is not listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 040201 of the Lake Pontchartrain Basin are as indicated in the table below^{1/}.

Degree of Support of Each Use						
Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Not Supported	Not Supported	Not Supported	N/A	N/A	N/A	N/A

^{1/}The designated uses and degree of support for Segment 040201 of the Lake Pontchartrain Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2006 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 040201 of the Lake Pontchartrain Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 24, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

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Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Ms. Rachel Davis
Water Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Final Effluent Limits:

Subsegment 040201, Bayou Manchac – Headwaters to Amite River, is listed on LDEQ's Final 2006 303(d) List as impaired for ammonia (total ammonia), phosphorus, nitrogen (nitrate + nitrite as N), organic enrichment/low DO, pathogen indicators, chlorides, sulfates and total dissolved solids. To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL.

Phosphorus, Nitrogen (nitrate + nitrite as N), and Organic Enrichment/Low DO

To protect against the potential for oxygen consuming pollutants that could cause instream DO problems, and for the discharges of organic materials and nutrients at levels exceeding state water quality standards, CBOD₅ limitations have been established in the permit. Also a report parameter for phosphorus and nitrogen has been placed in the permit based on the impairments of the receiving waterbody.

Ammonia

Because of the impairments in the waterbody that the facility is discharging to, an ammonia limitation has been placed into the permit.

Pathogen Indicators

To protect the receiving waterbody against high levels of pathogenic organisms, fecal coliform limitations have been established in the permit.

Total Dissolved Solids, Chlorides and Sulfates

Based on the size and nature of this facility, the department believes that there is little potential for the discharges to cause or contribute to the total dissolved solids, chlorides and sulfates impairments of this subsegment. Therefore, no limitations for chlorides and sulfates will be required of this facility.

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OUTFALL 001

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Daily Max	Basis
CBOD ₅		10 mg/l	15 mg/l	Based on the Lake Pontchartrain Basin segment 0402 Areawide Policy
TSS		15 mg/l	23 mg/l	Since there is no numeric water quality criterion for TSS, and in accordance with the current Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the type of treatment technology utilized at this facility.
Ammonia		5 mg/l	10 mg/l	Because of the impairments of Bayou Manchac a limitation for ammonia has been place in the permit.
Nitrogen		Report	Report	Because of the impairments of Bayou Manchac a report parameter for nitrogen has been place in the permit.
Phosphorus		Report	Report	Because of the impairments of Bayou Manchac a report parameter for phosphorus has been place in the permit.

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Other Effluent Limitations:**1) Fecal Coliform**

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5., the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Daily Maximum) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

2) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C)

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

X. PREVIOUS PERMITS:

LPDES Permit No. LAG570292: Issued: March 11, 2005
Expired: March 14, 2009

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Monthly Avg.</u>	<u>Weekly Avg.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	1/week	Measure
BOD ₅	10 mg/l	15 mg/l	1/month	Grab
TSS	15 mg/l	23 mg/l	1/month	Grab
Fecal Coliform Colonies	200	400	1/month	Grab

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:**A) Inspections**

A review of the files indicates that no inspections have been done in the past two years.

B) Compliance and/or Administrative Orders

Docket #: WE-CN-09-0306

Date Issued: January 6, 2010

Findings of Fact:

1. The respondent exceeded numerous effluent limitations
2. The respondent failed to measure flow
3. The respondent submitted incomplete or inaccurate DMRs

Order:

1. Take any and all steps necessary to meet and maintain compliance with the permit limitations
2. properly maintain facility
3. adhere to the schedule of activities associated with it sewer rehabilitation project

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C) DMR Review

A review of the discharge monitoring reports for the period beginning June 2007 through June 2009 has revealed the following violations:

Period of Excursion	Parameter	Outfall	Permit Limit	Reported Quantity
November 2007	BOD	001	10 mg/l	20 mg/l
	BOD		15 mg/l	20 mg/l
December 2007	BOD	001	10 mg/l	21 mg/l
	BOD		15 mg/l	21 mg/l
March 2008	BOD	001	10 mg/l	20.6 mg/l
	BOD		15 mg/l	38.3 mg/l
	TSS		15 mg/l	25 mg/l
	TSS		23 mg/l	46 mg/l
April 2008	BOD	001	10 mg/l	54 mg/l
	BOD		15 mg/l	105 mg/l
	TSS		15 mg/l	26 mg/l
	TSS		23 mg/l	35 mg/l
June 2008	BOD	001	10 mg/l	12.5 mg/l
	BOD		15 mg/l	25 mg/l
July 2008	BOD	001	10 mg/l	13.5 mg/l
	BOD		15 mg/l	25 mg/l
September 2008	BOD	001	10 mg/l	31 mg/l
	BOD		15 mg/l	31 mg/l
October 2008	BOD	001	10 mg/l	51 mg/l
	BOD		15 mg/l	51 mg/l
	TSS		15 mg/l	22 mg/l
	TSS		23 mg/l	39 mg/l
November 2008	BOD	001	10 mg/l	20 mg/l
	BOD		15 mg/l	40 mg/l
	TSS		15 mg/l	24.5 mg/l
	TSS		23 mg/l	46 mg/l
December 2008	BOD	001	10 mg/l	21 mg/l
	BOD		15 mg/l	31 mg/l
June 2009	BOD	001	10 mg/l	17.5 mg/l
	BOD		15 mg/l	23 mg/l

XII. ADDITIONAL INFORMATION:

The Louisiana Department of Environmental Quality (LDEQ) reserves the right modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as requested by the permittee and/or as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

This permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(C) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act or more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's, if the effluent standard, limitations, water quality studies or TMDL's so issued or approved:

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- a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- b) Controls any pollutant not limited in the permit; or
- c) Requires reassessment due to change in 303(d) status of waterbody; or
- d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit are standard for facilities of flows between 0.02 and 0.10 MGD.

<u>Effluent Characteristics</u>	<u>Monitoring Requirements</u>	
	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	1/week	Measure
BOD ₅	1/month	Grab
Total Suspended Solids	1/month	Grab
Fecal Coliform Bacteria	1/month	Grab
pH	1/month	Grab

XIII. TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a new permit for the discharge described in this Statement of Basis.

XIV. REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Wastewater Treatment Utilities, Inc, Meadow Ridge, June 18, 2009.